

2134. Misbranding of I-Odoral Ointment. U. S. v. 34 Jars * * * and 1 display card. (F. D. C. No. 21213. Sample No. 53037-H.)

LABEL FILED: October 4, 1946, Northern District of Ohio.

ALLEGED SHIPMENT: On or about April 26, 1946, by the C. L. S. Products Corporation, from Pittsburgh, Pa. The display card was delivered by a representative of the shipper on or about April 19, 1946.

PRODUCT: 34 Jars of *I-Odoral Ointment* and a display card entitled "Try I-Odoral for External Skin Conditions" at Cleveland, Ohio. Analysis showed that the product consisted essentially of mercurous chloride (calomel) 4.57 percent, zinc oxide, and thymol iodide, in an ointment base.

NATURE OF CHARGE: Misbranding, Section 502 (a), the statements on the jar and carton labels, "Acne Dry Eczema * * * Impetigo Ringworm * * * and other common external skin conditions," the statements and designs on the display card, "For External Skin Conditions Ringworm Ecthyma Psoriasis Acne Erythema Nodosum Scabies * * * Impetigo Contact Eczema Barbers Itch," and a design showing pictures of these conditions were false and misleading since the statements and designs represented and suggested that the product would be effective in the treatment of acne, dry eczema, impetigo, ringworm and other common external skin conditions, ecthyma, psoriasis, erythema nodosum, scabies, contact eczema, and barber's itch, whereas the product would not be effective in the treatment of these conditions; and, Section 502 (e) (2), the label failed to bear the common or usual name of each of the active ingredients in the article, since the presence of zinc oxide had not been revealed in the labeling, and since the label failed to bear a statement of the quantity or proportion of calomel, a derivative of mercury, present in the product.

DISPOSITION: November 8, 1946. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

2135. Misbranding of Adiron, B Family Factors, StaffTabs, and Swiss Kriss Brand Herbal Laxative. U. S. v. 154, 214, and 180 Bottles, etc., and accompanying literature. (F. D. C. No. 20558. Sample Nos. 17282-H to 17285-H, incl.)

LABEL FILED: August 9, 1946, Northern District of Illinois.

ALLEGED SHIPMENT: Between the approximate dates of February 9, 1946, and June 13, 1946, by Modern Products, Inc., from Milwaukee, Wis.

PRODUCT: Above-named quantities of drugs at Chicago, Ill. A number of circulars entitled "The New Blood Building Diet," "Fighting Fatigue with Diet," "Your Diet and Your Nerves," "Comfortable Relief For You in Swiss Kriss For Constipation," "The Original 7-Day Elimination Diet," and "The New Zig-Zag Reducing Diet" accompanied the articles.

LABEL, IN PART: "Adiron For Iron Deficiency Anemia * * * Each tablet contains 24 milligrams of iron in nutritionally available form," "B Family Factors of the B family as contained in brewer's yeast especially cultured with corn, biologically processed with clostridium acetobutylicum, and fortified with niacin amide, riboflavin and thiamin," "StaffTabs * * * Each tablet contains: 80 milligrams Calcium, 60 milligrams Phosphorus, 100 U. S. P. XI Units Vitamin D," or "Swiss Kriss Brand Herbal Laxative."

NATURE OF CHARGE: *Adiron*. Misbranding, Section 502 (a), the statements in the accompanying circulars entitled "The New Blood Building Diet" and "Fighting Fatigue with Diet" were false and misleading since they represented and suggested that the article was an adequate treatment for pale lips and ear lobes and constant tiredness and fatigue, and that most iron-containing foods, unlike *Adiron*, do not supply iron in assimilable form. The article would not be an adequate treatment for these conditions, since they are often due to causes not remediable by the use of *Adiron*, and most iron-containing foods supply iron in assimilable form.

B Family Factors and *StaffTabs*. Misbranding, Section 502 (a), the statements in the leaflets entitled "Your Diet and Your Nerves" and "Fighting Fatigue with Diet" were false and misleading since they represented and suggested that the products, together with other food factors, would be effective for nervous, upset, and angry conditions, fatigue, and inability to think clearly and to get things done properly and quickly. The articles would not be effective for such purposes.

Swiss Kriss Brand Herbal Laxative. Misbranding, Section 502 (a), the statements in the leaflets entitled "Comfortable Relief For You in Swiss

Kriss For Constipation," "The Original 7-Day Elimination Diet," and "The New Zig-Zag Reducing Diet" were false and misleading since they represented that the product had value in reducing body weight; that its use twice a year for a week at a time would be in the interest of maintaining health; that it would keep one physically fit in times of nervous stress and extraordinary demands; that it would enable the user to enjoy life and be "regular"; that it would prevent the user being sluggish, depressed, cranky, unhappy, dull, listless, or tired; and that it would bring quick, pleasant, and effective relief from headache and finicky appetite. The article would not be efficacious for such purposes. Further misbranding, Section 502 (c), the information required by law to appear on the label was not prominently placed thereon in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use, since the fact was not revealed that the active ingredient of the product upon which its laxative properties depended was senna.

DISPOSITION: October 23, 1946. Modern Products, Inc., claimant, having admitted the allegations of the libel, judgment of condemnation was entered, and the products were ordered released under bond to be relabeled. Further, all literature not in compliance with the Federal Food, Drug, and Cosmetic Act was ordered destroyed under the supervision of the Food and Drug Administration.

2136. Misbranding of electric light bulbs. U. S. v. Archibald H. Roberts. Plea of guilty. Fine, \$25. (F. D. C. No. 20179. Sample Nos. 27022-H, 36781-H.)

INFORMATION FILED: October 24, 1946, District of Minnesota, against Archibald H. Roberts, Minneapolis, Minn.

ALLEGED SHIPMENT: Between the approximate dates of November 22, 1944, and June 11, 1945, from the State of Minnesota into the State of Montana.

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the circular entitled "A New Scientific Development" and on printed placards headed "Now! Deep Infra-Red Ray From Any Light Socket," which were shipped with the article, were false and misleading since they represented and suggested that the article would be efficacious in the cure, mitigation, treatment, and prevention of prostatic troubles, sprains, sinus trouble, neuralgia, rheumatism, lumbago, neuritis, pleurisy, pneumonia, tonsillitis, influenza, arthritis, bronchitis, catarrh, asthma, fractures, women's ailments, deafness, ear trouble, skin diseases, torticollis, boils when open, cholecystitis, endocarditis, and low red blood count; that it would be efficacious to raise lowered vitality, improve the nervous system, relieve pain, improve circulation, promote absorption of exudate, and increase red blood count; that it would be efficacious in the treatment of superficial conditions, such as infections, acute inflammations, and deep-seated lesions; that it was a general systematic treatment, and would tend to induce active circulation; and that it would be efficacious for many other purposes. The product would not be efficacious for the purposes represented.

DISPOSITION: November 12, 1946. A plea of guilty having been entered, the court imposed a fine of \$25.

2137. Misbranding of gynecological syringes. U. S. v. 39 Packages * * *
(F. D. C. No. 22283. Sample No. 67965-H.)

LIBEL FILED: February 12, 1947, Eastern District of Oklahoma.

ALLEGED SHIPMENT: On or about October 17, 1946, by the Walter E. Dewey Company, from Philadelphia, Pa.

PRODUCT: 39 packages containing *gynecological springes* with accessory parts at Sulphur, Okla.

LABEL, IN PART: "Dew-E-Way Gynecological Syringe for Health Safety Convenience."

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statement "Dew-E-Way" and certain statements in the accompanying booklet entitled "Dew-E-Way Self-Help for Women" and in the leaflet entitled "The Dew-E-Way for Health and Complete Cleanliness" were false and misleading since they represented and suggested that the article would be effective to promote health, to cure and prevent diseases of women, to remove germs, to remove all odors, to relieve pain, sleeplessness, loss of appetite, nausea, languor, indifference,